

**BOARD OF PARK COMMISSIONERS
REGULAR MEETING
Park and Recreation Conference Room
11th Floor, City Hall
Monday, December 14, 2009
3:30 p.m.**

Present: Bryan Frye, Tom Roth, John Stevens, Andy Solter, Randy Brown, Cindy Claycomb, Matt Goolsby

Absent: None

Also Present: Doug Kupper, Director of Park and Recreation, Karen Walker, Assistant Director of Park and Recreation, Sharon Dickgraft, Assistant City Attorney, Lee Ann Sack, Clerk, Ron Blackwell, Fire Chief, Ernie Schuler, Wichita Fire Department, Dan McClure, Wichita Fire Department, Don Birmingham, Wichita Fire Department – Retired, Curt Van Boening, Wichita Audubon Society, Jerry Warren, citizen.

President Frye called the meeting to order at approximately 3:30 p.m.

PUBLIC AGENDA

None.

REGULAR AGENDA

Frye moved that the agenda be amended to add a new item for consideration and approval; amendments to City Ordinance 9.08 relating to trees and shrubs. Second by Claycomb. IT WAS UNANIMOUSLY VOTED TO APPROVE the addition of Item 2C: Draft Ordinance 9.08 to the agenda.

Item 1: Approval of Minutes

On a motion by Solter, second by Brown, IT WAS UNANIMOUSLY VOTED TO APPROVE the Park Board regular meeting minutes of November 9, 2009.

On a motion by Frye, second by Solter, as the presenter for item 2A has not arrived, Item 2A will be moved after 2C. IT WAS UNANIMOUSLY VOTED TO APPROVE adjusting the agenda.

Item 2B: Naming of the Dog Park Inside Chapin Park, Ashley Dog Park

Fire Marshal Brad Crisp petitioned the Board of Park Commissioners to name the city's first dog park located in Chapin Park after Wichita's first Accelerant Detection Canine, Ashley. Also in attendance was Jodie, retired ADC K-9, and Bella, current ADC K-9.

The Wichita Fire Department K-9 unit was founded in 1994 and runs to the current day. The first canine, Ashley, came to the Fire Department through State Farm Insurance Company. Since 1994 there have been three ADC canines. Ashley served from 1994 to 1999.

From 1994 to 2009, the K-9 unit has been deployed to 525 structure fires resulting in 102 felony arrests. They have also participated in 140 public education programs. Ashley worked 161 fire scenes which through her assistance resulted in 33 felony arrests for arson, aggravated arson and homicide.

The ADC K-9 is the most sensitive tool an investigator can use. They are trained to filter odors to locate odors such as coal, gas, lighter fluid, diesel fuel and paint thinner. A canine nose is 200 times more sensitive than the human nose which helps them discover critical evidence after a fire. A trained investigator may take an hour or longer to detect an ignitable liquid due to debris and fallen structure where a canine can work a scene in 5 to 15 minutes.

The canines are locating dangerous substances and often carcinogens. The exposure puts the canine's health at risk and shortens the life of ADC K-9's. September 11, 2001 Ashley died of cancer contracted from her exposure and work she did for the Wichita Fire Department.

Captain Don Birmingham, Wichita Fire Department – Retired, was introduced to the Board of Park Commissioners as Ashley's handler.

Frye asked if ADC K-9's are always female.

Crisp replied that more females are available for ADC programs, while males seem to end up in the explosive detection programs. This may be due to the larger size of males.

Claycomb asked how the dogs are selected.

Crisp replied that he is unaware of the procedure State Farm uses, but both Jodie and Bella came from the Bureau of Alcohol, Tobacco, Firearms and Explosives who use The Guide Dog Foundation for the Blind and Puppies Behind Bars. Both programs look for good bloodlines which check for allergies, health and disposition. Labradors are the only breed used.

Frye asked for public comment, there was none.

Frye thought Ashley met the requirements set forth in City Council Policy 13, but questioned Dickgrafe since the honoree was an animal.

Dickgrafe agreed that the criterion was met.

Fire Chief Blackwell conveyed his appreciation for the Board's consideration of naming the dog park after Ashley.

Goolsby inquired on the status of previous naming motions from the Park Board as the official naming committee for parks and open space.

Kupper relayed that all have been approved by City Council with the exception of the Ryan Woodward Memorial Skate Park which has not yet gone before City Council.

Goolsby stated his support for this request and appreciation for Ashley's honorable service to the city. Goolsby also expressed concern that City Council Policy is not being applied uniformly to all naming requests. City Council Policy 13, Item 5 states:

The person being distinguished must be one who has made a significant contribution to the City and such person must have been primarily responsible for the existence. The Committee will take into consideration whether or not the person contributed to the wellbeing of the facility.

In Goolsby's opinion, this is the item City Council is citing to obstruct naming Ryan Woodward Memorial Skate Park. He said that all other criteria were met when the Board of Park Commissioners voted to name the skate facility other than being "primarily responsible for the existence". However, the yearly skate competition sponsored by the memorial does fund the continued existence of the skate element. Ashley's service is above and beyond, but she was not responsible for the dog park being built and if the City Council approves this naming, why is the naming of the skate element being hindered.

Kupper stated he would follow up on the status of naming Ryan Woodward Memorial Skate Park and report to the Board at the January meeting.

Brown expressed that honoring contributions to the city should be the overriding consideration for naming and not whether a person was instrumental to the existence of the park.

Stevens said he would like to submit the naming to City Council with Fire Marshal Crisp repeating his presentation to City Council members.

Frye also expressed his desire for the naming of Ryan Woodward Memorial Park to come before City Council.

On a motion by Solter, second by Stevens, IT WAS UNANIMOUSLY VOTED TO APPROVE naming the dog park in Chapin Park, Ashley Dog Park for the service she gave to the city and specifically the Wichita Fire Department as Wichita's first Accelerant Detection Canine.

The Board expressed to Crisp and attending members of the Wichita Fire Department their appreciation for Ashley's service and they look forward to dedicating Ashley Dog Park in the spring.

Claycomb asked for clarification on the naming of the skate element and who Ryan Woodward was.

Kupper relayed that Ryan Woodward was an avid skater and user of Wichita's skate parks. He gave his efforts to keep Edgemoor Skate Park clean and helped educate other skaters to maintain the park and keep it free from graffiti. Ryan died at the age of 15 on his way to Edgemoor Skate Park after being hit by a car. His memorial has placed a bench at the Skate Park and works with staff on an annual memorial skate competition at the park. The Board voted on May 11, 2009 to name the skate park Ryan Woodward Memorial Skate Park for his significant efforts to maintain the skate park and the memorials ongoing work to maintain and improve the park.

Claycomb asked why the item has not gone before City Council.

Frye said he can speculate, but does not have a specific answer. City Council opposition to the renaming seems to surround item 5 of City Council Policy 13.

Goolsby stated that in his opinion, certain City Council members are hanging their hat on the policy when it is convenient for them and they are not obeying their policy when it is a deterrent. It is a no policy; they use it for an escape and not as a true litmus test.

Goolsby, Claycomb, Frye, Stevens, Solter and Brown restated their support for naming Ryan Woodward Memorial Skate Park.

Item 2C: Draft Ordinance 9.08

Kupper informed the Board that Dickgraft located Ordinance 9.08 also in need of revision. It addresses tree and shrub maintenance, pruning and removal. The changes to the ordinance will move responsibility for permit, notification and enforcement from the Board of Park Commissioners to the Director of Park and Recreation.

Dickgraft also noted that funding had changed as the original tax is no longer in effect. Special assessment against noncompliant homeowners is also addressed.

Claycomb noted that most citizens are unaware they need city permission to trim the tree on the right of way in front of their home.

Goolsby asked about limbs hanging over fence lines or over homes.

Kupper stated the city is responsible for pruning. If a homeowner would like to prune or hire pruning, permission must be obtained from the Forestry Division of Park and Recreation.

Claycomb asked about section 3 stating infected trees on private property can be removed by the city and cost charged to the homeowner. It also stated the same about disease treatment. Claycomb asked if this was new to the ordinance.

Dickgraft stated that it was already part of the existing ordinance. Notice provisions have been changed to be more explicit.

Goolsby stated that this needs to go to District Advisory Boards for input. Most people do not even know this ordinance exists and if nothing else, this will serve to notify citizens. Goolsby said his DAB would be interested in this topic. Goolsby would like it brought back to the Board after DAB's have had an opportunity for input.

Stevens said that this would be an opportunity for citizens to weigh in on the ordinance if it went to DAB. Stevens said it would be good citizen notification.

Frye asked for Public Comment.

Curt Van Boening, 5219 Plaza Lane, asked if right of way included alleys.

Kupper said open and accessible alleys are the responsibility of the city. Utility easements with power lines are handled by Utility companies. Closed, inaccessible alleys are the responsibility of the homeowner.

Solter questioned if it truly needed to come back to the Board after DAB presentation.

Goolsby said if there are discussions that result in a proposed change to the ordinance, he would want to present that back to the Board with the opportunity to amend the ordinance.

On a motion by Goolsby, second by Stevens, IT WAS UNANIMOUSLY VOTED TO APPROVE Draft Ordinance 9.08 for presentation to all District Advisory Boards and then submit all DAB recommendations to the Park Board for final approval.

Item 2A: Lincoln Street Bridge and Dam

Jim Armour, City Engineer, presented information on the Lincoln Street Bridge and dam possibilities. City Council approved MKEC to prepare design concepts in October 2007. The Arkansas River Corridor Access Plan was approved by City Council in June 2008. Proposed funding is included in the 2009-2018 CIP. Applications have been approved for federal grants as part of the project. The proposal was presented to all DAB's in October.

The bridge is a ten span structure. The original dam was inflatable, made of rubber. After recurrent failure due to puncture, the dam was replaced with a bascule dam 30 years ago. Having the dam underneath the bridge creates constant moisture problems that are causing corrosion and disrepair to the bridge.

Rehabilitation of the bridge and dam are being studied. Building a bridge over an existing dam creates additional problems and additional costs. Alternatives are being studied. If the dam is moved downstream, the bridge could be demolished and a new bridge built at a lower cost.

With input from Kupper, the possibility of a boat passage was proposed. This would make navigation possible around the dam. Coast Guard funding may be available. A boat passage may also be possible if the dam is not moved. All DAB's support the installation of a boat passage.

A fish passage would be required for gaining a permit if the dam is moved. New dam permits on a river are not easily attained.

Solter said this is very important to river development, bike and walkway paths, and city growth. An outstanding visual feature is important to city growth and tourism. It is also important to make extra effort to keep the area under the bridges clean.

Armour stated ground water elevation will be something they pay direct attention to avoid basement flooding in nearby homes. Preventative measures will be taken to ensure safe levels.

Benefit cost ratios are being studied for all options. Additional cost and life expectancy information for the bridge and dam needs to be obtained before presentation to City Council which is anticipated in January.

Item 3: Continuation of Prior Business

None.

Item 4: Review of Pending Issues

None.

Item 5: Updates

Kupper reported that Draft Ordinance 9.03 has been presented to 4 DAB's thus far, with the other 2 scheduled in January. There has been unanimous support with a few suggestions. Dab 1 would like permits published in the most expeditious way to help with event scheduling.

Kupper reported on inquiry from the Park Board concerning land across from the Coleman Outlet and Museum on St. Francis. He found no information that would prevent the area from becoming a green parking space should the owners wish to use it in that fashion. All legal activities for the under dirt have been completed.

Claycomb spoke with Bill Buchanan who would not comment on the subject.

Kupper stated Ron Holt seems more receptive to discussion promoting green space and green parking in the downtown area. Green parking lots will not support daily parking use.

Goolsby asked how you irrigate a green parking space.

Kupper stated there are recessed heads and the grass is planted in a stabilizing membrane.

Solter said that even if it is not green parking, the addition of trees and landscaping will be beneficial.

Claycomb noted the Office of Central Inspection reported to DAB 6 that the owners of the blighted building were in negotiation for the county to purchase the land for use as a parking lot.

Stevens asked if there were also land possibilities for a park.

Kupper stated there was room and it would be a nice addition to the area. Kupper reiterated his continued support for an open green space the first service block north from Kellogg from Main to Washington which would allow unobstructed walking access in the downtown area. It could be used as additional special event space, dog walking space for downtown residents and connect the downtown area with the Intrust Arena and Old Town.

Solter said he would like members and staff to continue to update the Park Board as they become aware of information from the county or others on this subject.

Dickgrafe left the meeting.

Frye asked for public comment.

Jerry Warren, 607 N. Doris, commented if the Park Board does not involve their selves in the process, it probably will not happen. He encourages the Board to continue to promote green spaces.

On a motion by Solter, second by Stevens, IT WAS VOTED TO APPROVE Claycomb as a representative of the Board of Park Commissioners to continue gathering information on the downtown Coleman Building and the area surrounding it as it relates to green space or green parking and report any findings back to the Board. Goolsby in dissent.

Frye stated his family had a great time at the Night with Santa event held on December 3rd at Century II Exhibition Hall. Attendance was approximately 4300. He read a thank you note from Barbara McGuire, event coordinator, thanking the Board for their sponsorship of a Christmas tree given away at the event.

Solter commented on the professionalism of McGuire. She also coordinated the Wichita Play Day.

Frye reported during DAB 5 meeting, 3 members spoke to him about a skate park in the DAB 5 area. They were very complimentary of the existing parks, but would like to promote additional locations in the city.

Frye reported that USD 259 will propose selling 12 acres on the southeast corner of 13th and Tyler and returning those funds to replenish capital. This area at Northwest High School is prime open space in the area. Bond money will then be used to purchase land at 127th and Pawnee for a new school.

Kupper asked the Board to keep opportunities like this in mind when USD 259 asks the Park Board for park land for schools. An exchange of land is a real possibility.

The consent item would give a specific Real Estate company the opportunity to purchase the land. It is the same company that is handling the purchase of land at 127th and Pawnee. Opposition is anticipated.

Kupper reported that the open space at Atwater Recreation Center, District 1, is leased from USD 259. The School Board is in discussions with the city to cancel the lease.

Goolsby reported the next Wichita Play Commission meeting will be January 28, 4:00 p.m. in the Park and Recreation Conference Room, City Hall, 11th Floor.

Item 7: Adjourn

There being no further business, Frye adjourned the meeting at approximately 5:30 p.m.

Bryan Frye, President

Lee Ann Sack, Clerk